

---

**From:** Hall, Lynda  
**To:** Psyk, Christine; Joelle Gore (joelle.gore@noaa.gov)  
**Sent:** 1/22/2015 5:44:15 PM  
**Subject:** FW: Follow-up with NWEA--Nina Bell  
**Attachments:** Closing the Gap on Forestry Management Measures-v7 1-20-2015.comments 1.21.15.docx

Doesn't look like FRN gets signed tomorrow. How about if we send current version to Will and Dennis tonight and ask for a quick turnaround review? Even with that, it doesn't look like it would be finalized before early next week. We should let Don and Allison know so they can readjust their expectations. Also we may need to let Will and Dennis know that by definition the FRN has to be somewhat more bureaucratic than the press release and letter to the state.

**From:** joan.r.langhans@noaa.gov [mailto:joan.r.langhans@noaa.gov] **On Behalf Of** Will Stelle - NOAA Federal  
**Sent:** Thursday, January 22, 2015 4:23 PM  
**To:** Psyk, Christine; Joelle Gore - NOAA Federal; Hall, Lynda  
**Cc:** McLerran, Dennis; Kim Kratz - NOAA Federal; William Stelle; Joan R Langhans  
**Subject:** Re: Follow-up with NWEA--Nina Bell

The following message is forwarded per Will Stelle's request.

Joan Langhans (for Will Stelle)

.....  
Christine, Lynda, Joelle:

Here are some notes on the "closing the gap" document which the state sent us this morning stemming from our call last night, together with a couple of additional comments from me. Have a look. Dennis and I also spoke about sharing some of our talking points with them early next week so that they can see precisely what we will be saying, since words are quite important in this setting. Finally, I think Dennis and I need to review the draft FR text that Christine sent around yesterday -- if that is the right text -- and see if anything pops up. When we've reviewed it, then perhaps we can have a call internally to go through any remaining little loose ends and tie them up. I would suggest early next week at the latest.

Thoughts or other advice welcome.

WS

On Tue, Jan 20, 2015 at 11:11 AM, Psyk, Christine <Psyk.Christine@epa.gov> wrote:  
**Pre-Decisional/Deliberative/Not for Public Disclosure**

Will, I am sending to you and Dennis two documents: the first titled "Closing the Gap on Forestry Management Measures-v7 1 7 15 clean.docx" is the short summary of the forestry gaps that I understand you and Dennis have shared with the State already. This is the document that has draft milestones (by date certain) language that needs to be filled in. This is the document that, as I understand it, would be an enclosure in the exchange of letters between us and the State in February where the intent and state commitments are memorialized.

The second document is a DRAFT of our actual decision document and is titled "Draft OR CZARA Decision Doc 011415 (3)-cp-clean version.docx". This latter document is the formal decision document that the team is preparing and articulates the basis for our decision. It **should not be shared** with the State as yet because folks are still refining the language and what I am sharing with you is a DRAFT VERSION. PLEASE DO NOT SHARE THIS DOCUMENT

AS IT IS NOT YET FINAL!

Please let me know whether you have questions re: above.

Christine Psyk, Associate Director  
EPA Region 10, OWW  
206-553-1906  
Psyk.christine@epa.gov

**From:** Will Stelle - NOAA Federal [mailto:will.stelle@noaa.gov]  
**Sent:** Tuesday, January 20, 2015 10:56 AM  
**To:** Psyk, Christine; Joelle Gore - NOAA Federal  
**Cc:** McLerran, Dennis; Hall, Lynda; Kim Kratz - NOAA Federal  
**Subject:** Re: Follow-up with NWEA--Nina Bell

Christine or Joelle: Could you forward to me whatever is the current text of the explanation of the decision and findings, and the milestones? I know this all remains in editing stages, but I'd like to have a look at whatever is ripening. Dennis and I have another check in call with the Oregon folks tonight.

Many thanks for whatever is possible.

WS

On Fri, Jan 16, 2015 at 9:59 AM, Psyk, Christine <Psyk.Christine@epa.gov> wrote:  
Dennis, do you need anything more from the team for the conversation Tuesday on the milestones?

Christine Psyk, Associate Director  
EPA Region 10, OWW  
206-553-1906  
Psyk.christine@epa.gov

**From:** McLerran, Dennis  
**Sent:** Thursday, January 15, 2015 5:34 PM  
**To:** Psyk, Christine  
**Cc:** Joelle Gore - NOAA Federal; Will Stelle - NOAA Federal; Garbow, Avi; Kopocis, Ken; Hall, Lynda  
**Subject:** Re: Follow-up with NWEA--Nina Bell

Christine and all:

I had a brief chat with Dick today. Oregon is aware of our call with Nina. **Ex. 5 - Deliberative**  
**Ex. 5 - Deliberative** Dick wants to continue to be the point of contact on this. He wants us to walk through milestones on the call Tuesday.

Dennis

Dennis McLerran  
Regional Administrator  
EPA Region 10  
(206) 553-1234

On Jan 15, 2015, at 2:25 PM, "Psyk, Christine" <Psyk.Christine@epa.gov> wrote:

I think that's right, Joelle.

Christine Psyk, Associate Director  
EPA Region 10, OWW  
206-553-1906  
Psyk.christine@epa.gov

**From:** Joelle Gore - NOAA Federal [<mailto:joelle.gore@noaa.gov>]  
**Sent:** Thursday, January 15, 2015 2:22 PM  
**To:** Psyk, Christine  
**Cc:** McLerran, Dennis; Will Stelle - NOAA Federal; Garbow, Avi; Kopocis, Ken; Hall, Lynda  
**Subject:** Re: Follow-up with NWEA--Nina Bell

Christine,  
Great news all around. I can imagine a best case scenario where the agencies, state, and NWEA were all coordinated on communication. We can all say different things.

Feds: Disapprove with Hope for Change  
State: Commitment to Change  
NWEA: Acknowledging State Commitment and reiterate NWEA Commitment to Influence Change

Can we connect the dots here?

Thanks, J.

On Thu, Jan 15, 2015 at 5:08 PM, Psyk, Christine <[Psyk.Christine@epa.gov](mailto:Psyk.Christine@epa.gov)> wrote:  
**Deliberative/Pre-Decisional/Internal Agency Communication**

Dennis, Will and all, I want to let you know that Nina contacted me today. She had follow-up questions subsequent to the conversation she had with you and Will last Monday. First and foremost, she reiterated how thrilled and grateful (her words) she was to get the information from you both. She called me because she had been thinking about the communication posture she will take when we issue our decision. She said she wants to be constructive and supportive. However, she is trying to figure out how to frame her constructiveness. She doesn't want to over play it and jeopardize her credibility. She asked whether we would be including in our decision documents and communications anything about the understandings that you and Will have come to with the State so that she could rely on that information to make her own positive representations. I told her that we would be spare and general about the future. We would strike a positive tone and foreshadow a hopeful view of future progress but not speak to any specific understandings of what we expect to happen next. She wasn't surprised and said that she expected this answer but wanted to check it out. She says this makes it more challenging for her to figure out how she will communicate about our decision on or around January 30 but that she wants to be constructive and set a positive tone so that the progress we all want can continue.

She also asked whether Dick and Richard were aware of your talking to her about this matter. This is important for her because she wants to know whether in her future dealings with Richard or Dick she should behave as if they know she knows or not. I told her I assumed you had shared this with Richard and Dick but would confirm with you both. I said I'd send her a very cryptic "yes" or "no" based on what I hear from you. So, let me know how I should respond to her.

Finally, she said she was very pleased to see Richard Whitman attending the recent Board of Forestry meeting. It shows real commitment. We then talked about the rulemaking and she filled me in on some of her concerns about the geographic scope of the rulemaking.

She did not mention or ask about penalties. She's focused on the prize—real changes in forestry practices.

Christine Psyk, Associate Director  
EPA Region 10, OWW  
206-553-1906  
Psyk.christine@epa.gov

**From:** McLerran, Dennis  
**Sent:** Tuesday, January 13, 2015 1:04 PM  
**To:** Psyk, Christine; Garbow, Avi; Kopocis, Ken; Hall, Lynda  
**Subject:** FW: Call with NWEA

Christine and all:

Will Stelle prepared a short summary of our call with Nina Bell yesterday. I am passing it along. It was a very positive call and bodes well for our continued work with Oregon to improve their forest practices.

Dennis

**From:** will.stelle@noaa.gov [mailto:will.stelle@noaa.gov]  
**Sent:** Tuesday, January 13, 2015 12:43 PM  
**To:** Joelle Gore; Lois Schiffer  
**Cc:** Holly Bamford; Jeff Payne; jeff.dillen@noaa.gov; Lindsey Kraatz - NOAA Affiliate; John King; Kim Kratz; Barry Thom  
**Subject:** Call with NWEA

Dear NOAA team: Dennis McLerran and I had a call with Nina Bell of the NWEA yesterday afternoon for about 20 minutes. It was a very simple conversation, where Dennis and I described the intentions of EPA and NOAA to disapprove the Oregon CZARA program at the end of the month due to certain enumerated deficiencies. We also described our intentions of working affirmatively with Oregon to try to rectify those deficiencies through the Board of Forestry rulemaking this year. Nina expressed that she was surprised and very pleased with the decision, and she twice expressed a simple thank you.

Most of the conversation centered around the limits of the rulemaking as initially scoped and whether there might be some opportunities to broaden it. We spent no time on penalties per se except to note that the time for addressing them was going to ripen later this summer. She seemed not at all interested in probing that aspect, and expressed some skepticism about invoking penalties as counterproductive to bolstering nonpoint source capabilities. Her focus was entirely on how to make the Board of Forestry process a modest success, and what we might be able to do to help with that outcome. She did not reflect any keen interest in penalties one way or the other.

In short, it was friendly and constructive, with zero angst from her end over some of the nuances that we've been discussing.

Hope this helps.

WS

William Stelle Jr.  
Regional Administrator  
West Coast Region  
NOAA Fisheries  
206-526-6150

**From:** Joelle Gore

**Sent:** Tuesday, January 13, 2015 6:52 AM

**To:** Lois Schiffer

**Cc:** Holly Bamford, Jeff Payne, Will.Stelle@noaa.gov, jeff.dillen@noaa.gov, Lindsey Kraatz - NOAA Affiliate, John King

Happy to talk at 10am.

My number 301-563-1177.

On Tue, Jan 13, 2015 at 9:47 AM, Lois Schiffer - NOAA Federal <lois.schiffer@noaa.gov> wrote:

i haven't talked to Will and

**Ex. 5 - Attorney Client**

**Ex. 5 - Attorney Client** Are you available by phone to talk?

On Tue, Jan 13, 2015 at 8:58 AM, Joelle Gore - NOAA Federal <joelle.gore@noaa.gov> wrote:

Good Morning Lois,

## **Ex. 5 - Attorney Client**

Will,

We also look forward to hearing how Dennis's and your conversation with Nina went yesterday. I'll follow up with you and Dennis (w cc: to Lynda and Christine) separately on a few details we need to iron out in the coming days.

Thanks, Joelle

---

**joelle gore**

office *for* coastal management

acting chief, stewardship division

1305 east-west highway

ssmc 4, room 10622

silver spring, maryland 20910

direct: 301-563-1177

cell: 301-325-1151

---

Lois Schiffer

General Counsel

National Oceanic & Atmospheric Administration

U.S. Department of Commerce

Phone: 202-482-4080

Cell: 202-573-1583

Email: Lois.Schiffer@noaa.gov

--

**joelle gore**

office *for* coastal management  
acting chief, stewardship division  
1305 east-west highway  
ssmc 4, room 10622  
silver spring, maryland 20910  
direct: 301-563-1177  
cell: 301-325-1151

--

**joelle gore**

office *for* coastal management  
acting chief, stewardship division  
1305 east-west highway  
ssmc 4, room 10622  
silver spring, maryland 20910  
direct: 301-563-1177  
cell: 301-325-1151

--

**William W. Stelle, Jr.**  
*Regional Administrator*  
*NOAA Fisheries West Coast Region*  
*U.S. Department of Commerce*  
Office: 206-526-6150  
Mobile: 206-295-3104  
Will.Stelle@noaa.gov



**NOAA FISHERIES**  
**West Coast Region**

**Find us online**

[www.westcoast.fisheries.noaa.gov](http://www.westcoast.fisheries.noaa.gov)



--

**William W. Stelle, Jr.**  
*Regional Administrator*  
*NOAA Fisheries West Coast Region*  
*U.S. Department of Commerce*  
Office: 206-526-6150  
Mobile: 206-295-3104  
[Will.Stelle@noaa.gov](mailto:Will.Stelle@noaa.gov)



**Find us online**

[www.westcoast.fisheries.noaa.gov](http://www.westcoast.fisheries.noaa.gov)

